

BINGHAM MCCUTCHEN LLP
Brian C. Rocca (SBN 221576)
brian.rocca@bingham.com
Sujal J. Shah (SBN 215230)
sujal.shah@bingham.com
Three Embarcadero Center
San Francisco, CA 94111-4067
Telephone: 415.393.2000
Facsimile: 415.393.2286

WILLIAMS & CONNOLLY LLP
John E. Schmidlein (163520)
jschmidlein@wc.com
725 12th St NW
Washington DC 20005-3901
Telephone: 202.434.5901
Facsimile: 202.434.5029

Attorneys for Defendant
Google Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GARY FEITELSON, a Kentucky resident, and
DANIEL MCKEE, an Iowa resident, on behalf
of themselves and all others similarly situated,

Plaintiffs,

v.

GOOGLE INC., a Delaware corporation,

Defendant.

No. 5:14-cv-02007 BLF

**STIPULATION AND [PROPOSED]
ORDER TO SET A BRIEFING
SCHEDULE RE GOOGLE INC.'S
RESPONSE TO THE COMPLAINT
AND TO CONTINUE CASE
MANAGEMENT CONFERENCE
(LOCAL RULE 6-2)**

Judge: Hon. Beth Labson Freeman
Dept. Courtroom 3, 5th Floor

CASE NO. 5:14-CV-02007 BLF

STIPULATION AND [PROPOSED] ORDER TO SET A BRIEFING SCHEDULE RE GOOGLE INC.'S
RESPONSE TO THE COMPLAINT AND TO CONTINUE CASE MANAGEMENT CONFERENCE
(LOCAL RULE 6-2)

1 Plaintiffs Gary Feitelson and Daniel McKee on behalf of themselves and all others
 2 similarly situated (“Plaintiffs”) and Defendant Google Inc. (“Google”) (together, “the Parties”)
 3 jointly submit this Stipulation and Proposed Order to set a briefing schedule in connection with
 4 Google’s forthcoming response to the Complaint, and to continue the Case Management
 5 Conference presently scheduled for July 31, 2014.

6 WHEREAS Plaintiffs filed a Complaint against Google on May 1, 2014. *See* Dkt. 1.

7 WHEREAS a Case Management Conference is presently scheduled for July 31, 2014.
 8 *See* Dkt. 7.

9 WHEREAS Google was served with the Complaint on May 5, 2014. *See* Dkt. 13.

10 WHEREAS Google intends to move to dismiss the Complaint pursuant to Federal Rule
 11 of Civil Procedure 12(b)(6), which is presently due on May 27, 2014.

12 WHEREAS there have been no previous time modifications in this case.

13 WHEREAS the Parties have met and conferred and have reached an agreement on a
 14 proposed briefing schedule and date for the Case Management Conference.

15 NOW, THEREFORE, the Parties, through their respective counsel, hereby stipulate to,
 16 and ask the Court to approve, the following:

- 17 1. Google shall file its motion to dismiss on or before July 11, 2014.
- 18 2. Plaintiffs shall file an opposition to Google’s motion to dismiss on or before
 19 August 11, 2014.
- 20 3. Google shall file a reply in support of its motion to dismiss on or before
 21 September 2, 2014.
- 22 4. Google shall notice the hearing on the motion to dismiss for October 2, 2014 at
 23 9:00 a.m.
- 24 5. In the interest of efficiency, the Case Management Conference currently
 25 scheduled on July 31, 2014 at 1:30 p.m. shall be continued until October 30, 2014 at 1:30 p.m.

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1 IT IS SO STIPULATED.

2 DATED: May 20, 2014

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4 BINGHAM MCCUTCHEN LLP

5
6 By: /s/ Brian C. Rocca
7 Brian C. Rocca
8 brian.rocca@bingham.com
9 Attorneys for Defendant
10 Google Inc.

11 DATED: May 20, 2014

12
13 HAGENS BERMAN SOBOL SHAPIRO LLP

14 By: /s/ Steve W. Berman
15 Steve W. Berman
16 steve@hbsslw.com
17 Attorneys for Plaintiffs
18 Gary Feitelson et al.

19
20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

21 DATED: May __, 2014

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Hon. Beth Labson Freeman
United States District Judge

ATTESTATION

I, Brian C. Rocca, am a partner at Bingham McCutchen LLP and am counsel for Google Inc. in this matter. I am the registered ECF user whose username and password are being used to file this Stipulation and [Proposed] Order. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that the above-identified counsel concurred in this filing.

DATED: May 20, 2014

BINGHAM MCCUTCHEN LLP

By: /s/ Brian C. Rocca
Brian C. Rocca
brian.rocca@bingham.com
Attorneys for Defendant
Google Inc.